IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.10525 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GUJARAT STATE ROAD TRANSPORT CORPORATION

Versus

BHANUPRASAD D. OZA

Appearance:

1. Special Civil Application No. 10525 of 2002

MR KS JHAVERI for Petitioner

MR DC RAVAL for Respondent

MR GK RATHOD for Respondent

CORAM : MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 25/10/2002

ORAL JUDGEMENT

1. Rule.

Mr.G.K.Rathod, learned Advocate, appears and

waives service of Rule on behalf of respondent.

2. The present petition is filed by the Gujarat State Road Transport Corporation being aggrieved of the judgement and award dated 29th August, 2001 passed by the Labour Court, Ahmedabad, in Reference (LCA) No.675 of 1997. The learned Judge of the Labour Court, having observed and held that by non-issuing tickets, the respondent-workman has shown grave negligence, has not awarded any substantive punishment to the respondent-workman.

3. After hearing the learned Advocates for the parties, it is deemed fit that the judgement and award of the Labour Court be modified to the extent that the respondent-workman shall visit punishment of stoppage of five increments with future effect. Order accordingly. The petitioner-Corporation is directed to comply the judgement and award within six weeks from the date of receipt of this order. At the request of Mr.Rathod, liberty is reserved to approach this Court in case of difficulty.

This petition stands accordingly allowed. Rule is made absolute to the aforesaid extent only. No order as to costs.

(Ravi R. Tripathi, J.)

kamlesh*